

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
VICTORIA DIVISION**

STATE OF TEXAS, STATE OF
LOUISIANA

Plaintiffs,

v.

UNITED STATES OF AMERICA, *et al.*

Defendants.

No. 6:21-cv-00016

DEFENDANTS' REPLY TO PLAINTIFFS' OPPOSITION TO A STAY

The States' opposition to Defendants' stay request has two significant omissions. First, the States do not engage with the Supreme Court's analysis in *Aleman Gonzalez*, No. 20-322, 596 U.S. -- (2022), and instead rely on authority that predates that decision. *Aleman Gonzalez* is an intervening decision that postdates this Court's judgment. The Court should at least stay its Order until it has a chance to analyze *Aleman Gonzalez* and the forthcoming MPP decision. Second, the States do not mention the declaration of Daniel Bible that Defendants submitted yesterday. This omission demonstrates that Plaintiffs have no material response to Defendants' showing that balancing of the equities here strongly favors a stay.

Defendants ask this Court to grant a stay or, in the alternative, extend the administrative stay for consideration of the stay motion, including the Bible declaration and the Supreme Court's decisions in *Aleman Gonzalez* and MPP. Should this Court deny both today, Defendants ask that this Court, at the least, continue the administrative stay through June 21, 2022, to give more time for the appellate process.

Dated: June 14, 2022

Respectfully submitted,

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CERTIFICATE OF COMPLIANCE

I certify that the total number of words in this motion, exclusive of the matters designated for omission, is 176, as counted by Microsoft Word.

/s/ Adam D. Kirschner
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CERTIFICATE OF SERVICE

I certify that a true and accurate copy of the foregoing document was filed electronically (via CM/ECF) on June 14, 2022.

/s/ Adam D. Kirschner
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